

10/003,369

10420/3169

Response to Office Action mailed July 15, 2004

Response transmitted September 9, 2004

### REMARKS

1. The application was filed with 23 claims, all of which remain pending. The Examiner is thanked for withdrawing the previous rejections under 35 U.S.C. § 103(a). The Office Action rejects Claims 1-23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,914,671 to John Tuttle ("Tuttle") and further in view of U.S. Pat. No. 6,000,607 to Masayuki Ohki ("Ohki"). The rejection states that Tuttle and Ohki in combination disclose the limitations of the inventions claimed in Claims 1-23. Claim 10 has been amended. Support for the amendment is found at least in the specification, p. 6, line 25, to p. 7, line 4, Figs. 1-2, and in the claims as filed.

#### Claims 1-9

2. Applicants traverse the rejections on the grounds that the combination of references is improper. Tuttle is classified in U.S. patent class 340/825.54, electrical communications, and is directed to a system and method for locating passengers in conjunction with air transportation. Ohki is classed in U.S. patent class 235/379, registers for banking systems. The two are non-analogous and it is therefore improper to combine the references in rejecting the claims of the application. M.P.E.P. 2141.01(a).

In addition, the two references cannot be readily combined because Tuttle teaches against printing the receipt or confirmation of Ohki. Tuttle teaches automatic check-in of passengers, col. 16, lines 17-19, but not printing a confirmation, because automatic detection of individual passengers saves "the passenger from having to stand in line to check in," and also reduces labor required by the carrier. Col. 16, lines 35-38. Tuttle thus teaches against printing a confirmation. One might imagine that once automatic check-in has occurred, a passenger would be issued a boarding pass or confirmation, or at least a seat number. Tuttle, however, teaches that once the passenger has checked in,

the system gives an indication to a passenger that the passenger has been successfully checked in, such as by displaying a message on a monitor, on a display on the card 32 (described elsewhere herein), by making an announcement on a speaker, or by other means.

Tuttle, col. 17, lines 39-43.

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Tuttle has no use for printing, but instead teaches confirmation by other means, such as a display on the check-in card, voice confirmation, confirmation on a video monitor, and the like. Printing a receipt or confirmation means standing in line, which Tuttle wishes to avoid. Tuttle thus teaches against printing a confirmation, and cannot be combined with Ohki, because the two are contradictory. M.P.E.P. 2143.01 at 2100-130. Accordingly it is improper to combine Ohki with Tuttle, because Ohki teaches printing a confirmation or receipt while Tuttle teaches against having to stand in line to receive the confirmation.

In addition, the rejection cites Tuttle, col. 1, lines 48-53 for the Claim 3 limitations concerning the information that is printed in the receipt. The only printing mentioned in col. 1 concerns checking of baggage, and is not concerned with checking in of the passenger as claimed in Claims 1 and 3. Accordingly, Tuttle does not teach the limitations of Claim 3, and the rejection does not cite Ohki as teaching these limitations. Claims 1-9 are thus allowable over the prior art.

#### Claims 10-12

Claim 10 has been amended to overcome the rejection. The Examiner is requested to withdraw the rejections of Claims 10-12.

#### Claims 13-20

Claim 13 claims a first passage to control entrance of passengers. The passage is depicted in Fig. 1, Fig. 2, and Fig. 3. The passage is described in the specification as comprising "a door 150 or other barrier such as a bar, a gate or a turnstile." P. 6, lines 4-5. When the passenger has been successfully checked in, "the door will open, the gate will swing, or the turnstile will turn to admit the passenger." Specification, p. 6, lines 10-11. The rejection cites Tuttle, col. 16, lines 15-48, as describing this limitation of Claim 13. The cited passage, however, describes technical aspects of use of a passenger identification card, but does not mention a gate or other passage to control passage of passengers. Accordingly, Tuttle does not describe or suggest at least this limitation of Claim 13.

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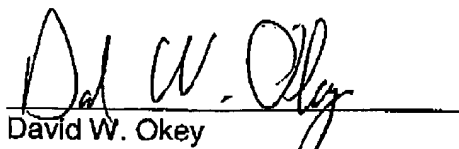
In addition, dependent Claim 17 further defines the "first passage" as one of a "a manned checkpoint, a gate, a door, and a barrier." The rejection cites Tuttle, col. 16, lines 27-37, as teaching these limitations. This passage, however, as discussed above with reference to Claim 13, merely discusses use of an identification card, and does not mention any sort of passage for controlling entry of passengers. Accordingly, Tuttle does not teach or suggest the limitations of Claim 17. Claims 13-20 are therefore allowable over the prior art and the Examiner is requested to withdraw rejections of Claims 13-20.

Claims 21-23

Claim 21 claims a system that includes a controlled passage. Tuttle does not describe or suggest a passage for controlling passengers, as discussed above. Tuttle does not describe or suggest all the limitations of Claim 21, and therefore Claims 21-23 are allowable.

4. Each independent claim of the application, Claims 1, 10, 13, and 21, includes at least one limitation not described or suggested in the cited art. The Examiner is requested to reconsider the application, to make of record the art cited during the interview, and to advance the claims to allowance.

Respectfully submitted,



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